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## **CANADA OK'S LIMITED REVIEW OF MINE PLANS**

*By Jim Mann*

The Canadian federal government has announced that it will review a coal mine proposed in British Columbia's Flathead drainage, but it's a review that falls short of what Montana officials wanted.

The Canadian Environmental Assessment Agency published a "notice of commencement" for a review of the Lodgepole Coal Mine on Dec. 13 in the country's equivalent of the U.S. Federal Register.

Up until now, the Cline Mining Corp. project has been a British Columbia provincial matter that has caused deep concerns in Montana.

According to the notice, the mountaintop removal mine would have production capacity of more than 5,400 tons per day, with access roads, waste rock dumps, a coal washing plant, a dry tailings storage area, a load-out facility, a power-line corridor, a mine camp and a fuel storage area. Much of that would straddle headwater streams that flow south into Montana's North Fork Flathead River, with the water eventually reaching Flathead Lake.

Over the past year, Montana's congressional delegation and Gov. Brian Schweitzer have requested the most rigorous type of federal review available under Canadian law.

They specifically sought a review under a specific section of law that applies to projects that "may cause significant adverse environmental effects occurring outside Canada" by an independent panel of scientists that would preferably include U.S. scientists familiar with the Flathead Basin.

Instead, the recent announcement calls for a lesser review to be carried out by an agency called Fisheries and Oceans Canada.

"I don't think it's an adequate level of review," said Will Hammerquist, Glacier program manager for the National Parks Conservation Association. "An adequate level of review for a project like this should be the most rigorous type of review under Canadian law."

What is particularly disappointing, he added, is that there is no mention in the notice of a willingness to make use of research that has been conducted by U.S. and Montana scientists in the transboundary Flathead drainage.

For the last three years, Montana has led the way in research through the University of Montana's Flathead Lake Biological Station and Montana Fish, Wildlife and Parks. This

year, the state Legislature put up funding for research to continue, and the congressional delegation has pursued federal funding.

“We have a wealth of knowledge, but they just don’t want to hear it, it seems,” Hammerquist said. “You look at what country and what government has made an investment in research in that area, and it is definitely from this side of the border.”

Research so far has concentrated on fisheries and water chemistry to determine baseline conditions before any resource development occurs in the basin. But Montana officials and groups say much more work needs to be done.

Hammerquist said there is strong support for the work to be guided by an independent review panel, rather than a Canadian bureaucracy, and that panel should include Montana representation with some attention directed toward potential ecological impacts south of the border.

Cline Mining Corp. is in the midst of a provincial permitting process that hit a roadblock last year. The company proposed draft terms and conditions for an environmental review that were met with stiff criticism in thousands of public comments.

The provincial government subsequently directed Cline back to the drawing board to redraft proposed “terms of reference.”

“In theory, that will result in a larger scope of analysis,” Hammerquist said.

But the reality is the province rarely denies permits for resource development projects.

Now that Canada’s federal government is involved, Hammerquist predicts Montana groups and agencies will direct their concerns to Ottawa, the Canadian capital, as well as Victoria (the provincial capital).